

**MINUTES OF THE
POLITICAL SUBDIVISIONS INTERIM COMMITTEE**
Wednesday, May 20, 2015 – 9:00 a.m. – Room 25 House Building

Members Present:

Sen. Daniel W. Thatcher, Senate Chair
Rep. R. Curt Webb, House Chair
Sen. Karen Mayne
Sen. Jerry W. Stevenson
Rep. Johnny Anderson
Rep. Joel K. Briscoe
Rep. Kim Coleman
Rep. Rich Cunningham
Rep. Don L. Ipson
Rep. Michael S. Kennedy
Rep. Kraig Powell
Rep. Douglas V. Sagers
Rep. Earl D. Tanner

Rep. John R. Westwood
Rep. Mark A. Wheatley

Members Absent:

Sen. Wayne A. Harper
President Wayne L. Niederhauser

Staff Present:

Ms. Megan L. Bolin, Policy Analyst
Ms. Christine R. Gilbert, Associate General Counsel
Mr. Timothy J. Barber, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Webb called the meeting to order at 9:02 a.m.

2. Open and Public Meetings Act

Ms. Gilbert presented "Open and Public Meetings Act Key Provisions" and highlighted some amendments to the law.

3. Long-Term Planning

Ms. Bolin presented "Population and Demographic Trends in Utah." Chair Webb asked if the presentation would be made available online, and Ms. Bolin replied that it is available on the committee webpage.

4. Community Development and Renewal Agencies

Rep. Handy and Mr. Matt Dahl, President, Utah Redevelopment Association, presented "Redevelopment Code Update" and discussed their negotiations with stakeholders as they seek to draft legislation for a new community redevelopment act. They outlined several objectives and issues to be resolved with potential legislation. Mr. Dahl explained they have looked to implement best practices in similar agencies from different states and simplify existing code.

Chair Webb asked what the purpose and duties of our current redevelopment association are, how tax incentives are used, and who the current stakeholders are.

Mr. Dahl replied that there are three different project types within a redevelopment agency: community development, urban renewal, and economic development, all with differing objectives. Mr. Dahl said that redevelopment agencies use tax increment financing to assist with development costs.

Mr. Dahl said that his organization is working to include all municipal redevelopment professionals and the Governor's Office of Economic Development.

Chair Webb suggested that Mr. Dahl seek the input of stakeholders who are not currently working for government entities and invited Rep. Handy to give a status report on their progress in August.

5. Good Landlord Program

Rep. Froerer and Rep. King presented "Good Landlord Program Overview" and discussed their goals to improve renting policies for individuals who have a criminal background, addressing the issue of disproportionate fees, and simplify the process for landlords to apply for the Good Landlord Program. The legislators plan to convene with various stakeholders, like the Utah League of Cities and Towns and American Civil Liberties Union, to find a legislative solution.

Rep. Froerer and Chair Webb discussed that August will likely be a good time to present draft legislation addressing the issue.

6. Municipal and County Code Enforcement

Sen. Thatcher stated his intention to create a simpler and more equitable environment in municipalities and counties regarding code enforcement, and address enforcement that is being generated by complaints, or enforcement aimed at solely raising revenue. He mentioned that he is beginning to meet with stakeholders and that this process will likely be long and complicated. He said he welcomes any input from committee members on how to achieve this objective.

Rep. Westwood asked if municipalities and counties are currently empowered to send out personnel to enforce codes and levy fees.

Sen. Thatcher replied that his first impression has led him to believe that there is a lack of framework in state statute and that he would like to see more oversight and regulation to make sure there is clarity. However, he acknowledges he needs to do more research.

Chair Webb committed Sen. Thatcher to provide a progress report to the committee in June.

7. Historic Districts

Chair Webb outlined recent legislation regarding historic districts and stated that he would like the committee to develop a better statutory framework for creating historic districts. He acknowledged that it will require work to create standards across different communities that have done it differently in the past.

Rep. Tanner stated that a possible solution could include creating a way to reverse a historic district designation.

8. Subdivision Base Parcels

Chair Webb discussed issues with subdivision base parcels, specifically regarding the inability of an owner of a subdivided parcel to pay a proportionate share of the delinquent taxes. He wants to seek a legislative solution to this that will be uniform for the state.

9. Assessment Area Bonding

Chair Webb discussed Utah's assessment lien foreclosure procedures, how they compare to other states, and his interest in simplifying the process through legislation.

10. Subdivision Bonding

Chair Webb discussed construction performance or surety bonds required of developers by local entities. He said he plans to examine how local entities determine that a project is complete and ensure that the improvement costs and contractors have been paid in full.

11. Local Government Transfer of Development Rights (TDRs)

Rep. Powell and Mr. Danny Goode, Wasatch County Council, presented "Wasatch County - Heber City Proposed TDR Map" and discussed whether to allow a municipality and a county to enter into an agreement to authorize the transfer of development rights between their respective jurisdictions.

After committee discussion, Rep. Powell expressed his desire for the solution to be addressed through interlocal agreements and not rise to the level of needing legislation.

Rep. Powell agreed to report back to the committee in October.

12. Insurance for Lateral Sewer Lines

Mr. Tracy Cowdell, General Counsel, Sandy Suburban Improvement District, and Mr. Jerry Knight, General Manager, Sandy Suburban Improvement District, informed the committee about potential solutions to address costs associated with repairing lateral sewer lines that run from a private residence to sewer main lines in the street.

Rep. Coleman commented that is a part of the state's larger problem of aging infrastructure, but is unsure whether the solution to this current problem will be legislation.

Rep. Coleman agreed to report on progress at the committee's June meeting.

MOTION: Rep. Sagers moved to approve the minutes of the November 19, 2014, meeting. The motion passed unanimously. Sen. Stevenson and Rep. Anderson were absent for the vote.

MOTION: Rep. Sagers moved to adjourn the meeting. The motion passed unanimously. Sen. Stevenson and Rep. Anderson were absent for the vote.

Chair Webb adjourned the meeting at 11:14 a.m.